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Counterinsurgency and the Mexican Drug War

by

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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Abstract

The violence and corruption associated with the Mexican Drug War has garnered international attention and caused concern for U.S. national security. The actions of Mexican drug trafficking organizations (DTO), as second generation criminal organizations, effectively amount to an insurgency. Should the government of Mexico fail or request U.S. military assistance as a result of its engagement with the DTOs, USNORTHCOM should employ a counterinsurgency (COIN) strategy. This paper will explore the history of the Mexican drug trade, define the Mexican Drug war through the examples of three cases, and provide some recommended course of action for USNORTHCOM to pursue.

In terms of worst-case scenarios for the Joint Force and indeed the world, two large and important states bear consideration for a rapid and sudden collapse: Pakistan and Mexico.
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Introduction

The U.S. cause for concern in Mexico, expressed above by Commander U.S. Joint Forces Command in *The Joint Operating Environment 2008*, is the escalating violence and unrest of the Mexican Drug War. This war is being fought by numerous drug trafficking organizations (DTOs), both among themselves and against the Mexican government. USJFCOM goes on to state that, “any descent by Mexico into chaos would demand an American response based on the serious implications for homeland security alone.”²

Few would argue with the critical implications of a failed Mexican state or the necessity for U.S. action in such a case. The major question concerns how the United States should shape and execute such action. After an analysis of the hostile organizations involved, the strategies they employ, and their ultimate objectives, this paper proposes that U.S. action should primarily employ counter-insurgency (COIN) operations, along with activities that traditionally support COIN, such as stabilization and counter-terrorism (CT). This proposal is based on the premise that the influence, subversion, and violence employed by the Mexican DTOs most closely approximate an insurgency. This opinion was shared by the Chairman, U.S. Joint Chiefs of Staff, Admiral Michael Mullen, during a conference call with the press after returning from an official visit to Mexico in early March 2010.³ While USNORTHCOM would be the U.S. military lead, as with any U.S. COIN effort, a whole of government approach would be required.

History

To understand any insurgent movement, a basic knowledge of the movement's history is necessary. While the Mexican Drug War with its various influences has just recently generated front page international attention, its roots can be traced back more than thirty years.

Throughout the 1980s, the cocaine trafficking business was dominated by the Colombian "cartels," most notably those originating in the cities of Medellin and Cali. Those two groups monopolized the business, from cultivation and production to smuggling and distribution to the customer base, primarily in the United States. When U.S. law enforcement efforts closed most traditional smuggling routes through the Caribbean to south Florida, the Colombian cartels were forced to explore other options for product transportation and distribution to the United States. They quickly recognized, employed, and came to rely on Mexican criminal organizations, which had already established methods for smuggling Mexican marijuana and heroin into the U.S. Southwest. The Mexican DTOs quickly proved themselves and began demanding payment for their smuggling services in cocaine rather than cash. They in turn would distribute and sell the cocaine they received for enormous profits.

The early to mid 1990's demise of the Medellin and Cali cartels left a vacuum in the Colombian business of cocaine growth and production. This void was soon filled by the *Norte del Valle* cartel and the Revolutionary Armed Forces of Colombia (FARC). However, neither group established its own trafficking networks. Instead they decided to rely almost solely on the Mexican criminal organizations for product movement to the United States. As a result, by the late 1990s, regardless of where the cocaine originated, 90 percent of that

which entered the United States was moved by Mexican criminal organizations,⁴ that now control a \$50 billion-a-year industry.⁵

Mexican organizations were actively involved in trafficking illegal substances and other contraband well before the downfall of their Colombian colleagues. Smuggling from Mexico into the United States dates back to the early 20th century. Particularly noteworthy were the operations carried out by the Matamoros outlaw, Juan Nepomuceno Guerra. Guerra established himself as a rum runner in the 1930s, smuggling alcohol from Mexico into Texas. By the mid-1940s, through powerful family political connections, he controlled almost all smuggling, including alcohol, guns, and drugs, from Mexico into the United States via the Rio Grande River. In the mid-1970s, Guerra's nephew, Juan Garcia Abrego, established ties with Colombia's Cali Cartel and quickly adapted his uncle's organization to traffic cocaine.⁶ Under Garcia this organization would come to be known as the Gulf cartel.

While Guerra and Garcia were cementing the Gulf cartel's role in trafficking in eastern Mexico, the Guadalajara cartel was establishing itself in western Mexico. By the 1960s, it had become Mexico's largest trafficker of marijuana and heroin. Under the leadership of Miguel Angel Felix Gallardo, ties were established with Colombian cocaine exporters and operations were consolidated in western Mexico. As a result of Gallardo's imprisonment for the kidnapping and murder of American DEA agent Kiki Camarena, the Guadalajara cartel then split into the two organizations known today as the Sinaloa and Tijuana cartels.

Although violence and corruption associated with Mexican drug trafficking dates back decades, the current viciousness is rooted in the 1989 arrest of Felix Gallardo and the subsequent split of the Guadalajara Cartel. The newly formed Sinaloa and Tijuana Cartels

began a brutal, decade-long fight to control the drug corridor, or *plaza*, to San Diego. The Sinaloa faction eventually was able to assert its dominance over the region in 2002. With the Tijuana cartel's power now greatly reduced, the Sinaloa cartel set its sights on the key Nuevo Laredo *plaza* on the Texas border, a traditional Gulf cartel / *Los Zetas* stronghold. In 2004, in addition to its attack on Nuevo Laredo, the Sinaloa cartel also undertook a campaign against its former partner, the Juarez cartel, for control of the Ciudad Juarez *plaza*. This was in retaliation for the Juarez leader's (Vicente Carrillo Fuentes) orders to kill Sinaloa cartel chief Joaquin Guzman Loera's brother. Thus, the modern-day war among the Mexican DTOs is a continuation of the conflicts concerning Nuevo Laredo and Ciudad Juarez, with shifting alliances, often unrecognizable and confusing, centered on Sinaloa cartel's desire to dominate the entire Mexican drug trade.

Following the above discussion of the Mexican "criminal enterprise insurgency," a short history of counter-insurgent activities is now provided. Beginning at the end of the Mexican Revolution, through the early 1990s, the Institutional Revolutionary Party, or PRI, held virtually every government seat from the local to the national level. Throughout its seventy-year reign, the PRI served as patron of Mexican organized crime, including Juan Guerra's bootlegging and gunrunning, and the Guadalajara marijuana trade. The one-party rule made it easy for the trafficking organizations to bribe and influence officials at all levels. Those government officials allowed the cartels to move their product through Mexico and into the United States with minimal interference.

The marriage between organized crime and government quickly began to unravel in 2000 when Vicente Fox was elected the first non-PRI affiliated President of Mexico since 1924. In 2001, as a result of the war between the Sinaloa and Tijuana cartels, the

government began efforts to dismantle the Tijuana organization, resulting in the death and arrest of the Arrellano Felix brothers, Tijuana leaders. In 2005, after a dramatic increase in violence in Nuevo Laredo due to fighting between the Gulf and Sinaloa cartels, President Fox ordered 700 soldiers and federal police into the city.⁷ Despite their best efforts, the violence continued almost unabated.

In 2006, newly elected President Felipe Calderon stepped up government efforts against the DTOs. On December 12 of that year, Calderon launched Operation *Michoacán*, deploying 7,000 Mexican soldiers to his home state of Michoacán to halt a brutal conflict between the upstart *La Familia Michoacána* cartel and the Sinaloa cartel.⁸ On January 2, 2007, Calderon deployed 3,000 government troops and federal police to the state of Baja California.⁹ In early 2009, he ordered an additional 7,000 soldiers and federal police into Ciudad Juarez.¹⁰ To date, Calderon has deployed over 45,000 soldiers and federal police throughout Mexico.¹¹

Discussion

Second generation criminal organizations “seek to control or incapacitate state security institutions, and they often begin to dominate vulnerable community life within large areas of the nation-state...When these criminal organizations use subversion and violence as political interference to negate law enforcement efforts against them, they become insurgents.”¹²

In order to argue the Mexican Drug War as an insurgency, it may be best serving to examine three brief cases: 1. Events in Nuevo Laredo in 2005, 2. *La Familia Michoacána*, 3. *Los Zetas*. Although there are an infinite number of examples of subversion and violence used by the DTOs, these three cases are widely representative of their activities and will allow for us to draw conclusions and to define the insurgency within the context of CJCS

Joint Publication 3.24: Counterinsurgency Operations, the document by which USNORTHCOM would plan and execute COIN operations.

1. Nuevo Laredo

As was previously discussed, 2005 saw an alarming rise in violent crime in the border city of Nuevo Laredo. The Sinaloa cartel's attempt to seize control of the *plaza* from their Gulf rivals led to a 300% increase in the number of murders over the previous year¹³ and began to garner international attention, especially across the border in Texas and throughout the United States. This prompted President Calderon's May decision to deploy over 1,000 soldiers and federal police to the city¹⁴ in an effort to quell the violence and restore order. Upon entry into the city, federal forces were met by municipal police who actively engaged them in combat in order to defend their turf. Forty-one municipal officers were arrested, while the remainder of the city's 700 man police force was suspended under suspicion of rampant corruption and cooperation with the DTOs.¹⁵ After investigating and careful vetting, fewer than half were allowed to retain their jobs.¹⁶ In June, federal forces rescued 44 people who had been kidnapped by the city's police on behalf of the Gulf cartel and their *Los Zetas*¹⁷. That same month saw the assassination of Alejandro Dominguez just seven hours after he had been sworn in as the city's police chief.¹⁸ Dominguez was seen as an honest local businessman, vowing not to negotiate with the DTOs, and had volunteered for the position after no one else would take the job. Throughout the rest of 2005 and into 2006 the government achieved little to no success in restoring law and order to Nuevo Laredo. During

the first 4 months of 2006, 93 murders were recorded, putting the city on pace to double its homicide rate over the year prior.¹⁹

2. *La Familia Michoacana*

*The Family doesn't kill for money. It doesn't kill women. It doesn't kill innocent people, only those who deserve to die. Know that this is divine justice.*²⁰

La Familia Michoacána, or *La Familia*, is Mexico's newest, and by many accounts, most violent DTO. Founded in 2006, it was created to restore order to the state whose name it bears, and to protect the people from exploitation by the Sinaloa cartel and *Los Zetas*, two groups that vied for control over the region. The organization quickly evolved from a gang of vigilantes to a full blown trafficking organization, winning the hearts and minds of the ordinary Michoacán citizen. *La Familia* mixes its brutality with philanthropy and a Christian ideology. The group's leader is reportedly writing his own bible and requires all members to read Christian author John Eldredge's *Wild at Heart*²¹. *La Familia* sees its calling as that of bringing "divine justice" to the state, as evidenced by the preceding epigraph, which was attached to the heads of six decapitated rivals at a nightclub in Uruapan. The group has outlawed drug consumption throughout the state, stating that drugs are only for export to the United States.²² Many new members are recruited from drug or alcohol treatment centers and from the homeless population. It also pays teachers to circulate the Eldredge book, and to teach their ideology in the schools.²³

La Familia has co-opted the local and state governments, and in effect, created its own shadow government. Mexican federal officials claim that 83 of the state's 113 municipalities are under cartel control.²⁴ It is suspected that Michoacán's governor is intimately involved with the group, and when President Calderon dispatched 1,000 federal

police to Michoacán, it prompted the angered governor to call it “an occupation.”²⁵ The governor’s brother, a member of the lower house of Mexico’s congress, is also a senior leader of the DTO.²⁶ In addition to paying teachers, providing employment to the homeless and former drug addicts, and outlawing drug use, *La Familia* has outlawed the exploitation of women to include prostitution and human trafficking. The group builds schools, provides food and clothing to the poor, and pays for medical services. To finance these endeavors, they extort wealthy businesses and families, as well as use drug profits. Due to the extortion, and the popular view that the legitimate government is ineffective, many choose to pay taxes to *La Familia* instead of the government.²⁷

La Familia doesn’t operate its drug trafficking or philanthropic ventures quietly. The group seems to have its own public relations department. It has on numerous occasions taken out full page ads in newspapers and distributed thousands of flyers citing their good deeds, their intentions to protect the Michoacán people, and promises to violently dispatch outsiders. They publicly blame the brutal violence on their rivals, be they the Sinaloa cartel, *Los Zetas*, or Calderon’s federal forces.²⁸

3. *Los Zetas*

Los Zetas is a Mexican paramilitary and drug trafficking organization. It was created in 1999 by former Gulf cartel leader Osiel Cardenas Guillen to act as his personal security team. The original corps was made up of former Mexican army special forces’ soldiers, trained in counter-narcotics operations and guerilla-style tactics. In little time, Cardenas would recognize the utility of this special group in taking on his DTO rivals and Mexican law enforcement. He realized that he couldn’t take on either group in head to head confrontations, but could use the former soldiers’ specialized training to conduct asymmetric

attacks.²⁹ Cardenas grew the cadre of bodyguards into a full scale paramilitary, recruiting more Mexican special forces' soldiers and Guatemalan Kaibiles special operations troops. *Los Zetas* became powerful enough to take over half of the Gulf cartel's operations during the turmoil that occurred in the aftermath of Cardenas' extradition to the United States. As of late 2009 they have completely split with the Gulf organization and are now a wholly independent DTO. They continue to expand and recruit, advertising through banners and other means. They offer higher pay and improved benefits for soldiers and police who desert the army or federal police force.³⁰

Like *La Familia*, with whom they were formerly allied, *Los Zetas* see politics as a tool which they might use to bolster their business. In the 2009 race for governor in the state of Colima, *Los Zetas*, prior to their split with the Gulf cartel, endorsed PRI candidate Mario Anguiano. After this endorsement became public, Anguiano surged ahead in the polls and ultimately won the election. While no direct evidence of collaboration between the PRI governor and the cartel was discovered, Anguiano's brother and cousin are currently serving prison terms in Mexico and the United States for methamphetamine trafficking. In an earlier 2007 example, an F.B.I. intelligence report stated that the governors of Veracruz and Michoacán had accepted campaign funding from the Gulf DTO. The cartel also offered to reduce violence and fund local PRI candidates across the state if the state administration would allow the DTO to conduct business freely. In Michoacán, the DTO was promised control over the port of Lazaro Cardenas, coincidentally named after the governor's grandfather.³¹

While there is evidence of several Mexican DTOs swaying influence south of Mexico's borders, *Los Zetas* appear to be at the top of the list, particularly in Guatemala. As

Mexican and international efforts become increasingly effective at interdicting Andean cocaine bound for Mexico by air and sea, *Los Zetas* recognize the increasing importance of Central America's land routes. They are actively involved in attempting to co-opt an already notoriously corrupt Guatemalan government in order to help facilitate the movement of drugs across the Mexico-Guatemala border. In late 2009 and early 2010, two consecutive National Chiefs of Police and the Minister of Interior were dismissed and arrested on charges of Mexican drug related corruption. Recent reporting also indicates that Guatemalan President Alvaro Colom has received credible death threats from *Los Zetas*.³² It is estimated that Mexican cartels exercise control over some forty percent of Guatemala,³³ mostly remote jungle with little or no national security presence. *Los Zetas* have built airstrips and set up defensive perimeters around their claimed territories, employing anti-aircraft guns and land mines to defend against Guatemalan security forces if the need arises.³⁴ From such external bases of operation, *Los Zetas* can maneuver in Mexico and reconstitute beyond Mexican government jurisdiction.

Conclusion

*Insurgency is the organized use of subversion and violence to reach political ends ... it seeks to erode the opposition's will, influence, and power ... Typical insurgencies only become a military concern when normal political processes and law enforcement methods are insufficient.*³⁵

This paper proposes that U.S. strategy should rely on COIN operations to diminish and hopefully end the Mexican Drug War, but this proposal is only appropriate if the Drug War closely approximates an insurgency. As stated earlier, should the United States become militarily involved, USNORTHCOM would prepare its COIN campaign in accordance with Joint Publication 3-24. The three cases discussed above provide clear evidence supporting the belief that the Mexican Drug War is an insurgency in the context of the JP 3.24 statement

concerning second generation criminal organizations. Per the epigraph above, the Joint Doctrine also offers a more traditional definition of “insurgency”, and provides a doctrinal baseline by which COIN practitioners can thoroughly understand their adversaries. This baseline also provides a useful framework by which to characterize the Mexican conflict as an insurgency, and takes into account the nature of the insurgency, the approach the insurgents use, their focus, use of subversion and violence, and their desired ends. Weighing the facts and ideas included in the three cases against this framework will truly allow us to call the Mexican conflict an insurgency.

JP 3-24 characterizes insurgencies as “... primarily internal conflicts that focus on the population. An insurgency aims to gain power and influence ... The insurgent goal of gaining power, influence, and freedom of action may not extend to overthrowing the HN government, but only to gaining power and influence at a greater rate or extent than other means would peacefully or legally allow.”³⁶ This description well defines the nature of the Mexican Drug War because the drug trafficking organizations have not called for the overthrow of the Mexican government. However, they have certainly taken steps to gain power, influence, and freedom of action in order to grow, produce, and traffic illegal drugs with minimal government interference. Further on in the same paragraph quoted above, doctrine suggests that some insurgent leadership structures use a professed ideology to gain power as simply a means to an end, without any real belief in that ideology. Whereas some might argue that greed is the ideology driving the Mexican cartels, it is evident that *La Familia Michoacán* has a declared religious and ethical ideology. While one may question true belief within *La Familia*, it is apparent that they at least claim an ideological framework to their activities.

Accurate characterization of an insurgency also requires examination of the tactics employed by the participants. The Joint Pub recognizes that these groups must find ways to attack conventional forces asymmetrically due to comparative weaknesses. All of the Mexican DTOs have shown the ability to set ambushes and conduct hit and run attacks against military and police convoys and bases, but *Los Zetas* provide the clearest example of that ability. The Gulf cartel leadership recognized early on that the capabilities of those recruited perfectly suited the style of fighting they would need to employ and conduct asymmetric operations against rival DTOs and government forces. *Los Zetas* specialized skill sets also allow them to effectively train new recruits who may not have the customary military background.

*Insurgencies may focus at the local, state and regional level ... They may focus operations on a small area and later expand their efforts geographically.*³⁷ This statement characterizes the Mexican cartels at all levels. As an example, after the fracture of the Guadalajara Cartel, the Sinaloa Cartel focused its efforts on the Tijuana *plaza*, fighting the Tijuuanans for control of the associated routes. After achieving victory, the Sinaloans moved on to contest local control of Juarez and Nuevo Laredo. They now fight for control of *plazas* and territory throughout Mexico. *La Familia*'s domination of their Michoacán state, both criminally and politically, is a clear example of a local focus, and hints at a focus on the national level when considering its influence over the governor and claiming a senior member who holds a seat in the Mexican national congress. *Los Zetas* political sway over the population and ability to negotiate with two state governors also is evidence of a national focus, while their activities in Guatemala make a regional focus evident.

The joint definition of insurgency clearly endorses the use of subversion and violence. Exploring the use of violence in the Mexican Drug War becomes moot as reports of brutal murders and engagements between government forces and the cartels find their way into the international media almost daily. Cartel use of violence to attrite their rival traffickers is one, but it is not the only purpose. In the case of the murder of Nuevo Laredo's freshman police chief, violence was used to send a message, to reinforce the *plata o plomo* (silver or lead) policy. Take the money or take the bullet, cooperate with the cartels or die. In the case of *La Familia*, the brutal and public manner in which they kill (decapitations) is meant to intimidate and scare off rivals who may trespass on their territory.

Insurgent use of subversion is equally as evident as violence. The dismissal of over half of Nuevo Laredo's police force in 2005, and their collaboration with the cartels in the kidnapping of at least 44 people, show large scale corruption as subversion, as does the arrest of high ranking Guatemalan law enforcement officials for facilitating Mexican cartel activity in Guatemala. *Los Zetas'* political endorsement and campaign financing not only show the corruption of high ranking elected officials, but also subversion of the democratic process. *La Familia's* political involvement further cements the use of subversion by the DTOs. Finally, both *Los Zetas* and *La Familia* have shown effective use of propaganda and public relations to influence their audience and undermine the legitimacy of Mexican government institutions.

A final factor characterizing the Mexican Drug War as an insurgency concerns the insurgents' desired ends. JP 3-24 states, "*In all cases, insurgent military action is secondary and subordinate to a larger end, which differentiates insurgency from lawlessness,*"³⁸ and this certainly holds true in Mexico, with the desired end-state being the freedom of action to

traffic illegal drugs. It also suggests that insurgencies generally share some combination of objectives: political change, government overthrow, resistance against outside actors, or to nullify state control over an area. While DTOs generally have not expressed any strong desire to overthrow the Government of Mexico, they do share the remaining three objectives. There is evidence that the cartels do desire some political change. Ultimately they may want a return of the PRI or similar governing body that will ignore their business. *Los Zetas* endorsement and financial backing of PRI candidates in Colima, Veracruz, and Michoacán seem to indicate this. Another objective concerns resistance. Insurgent elements hope to fend off or expel occupiers or outsiders. In the Mexican case, it is the DTOs and collaborating local government officials resisting the influxes of the military and federal agents. The 2005 confrontation between Nuevo Laredo's municipal police and the arriving army is a clear example of this, as is the Michoacán governor's labeling of federal deployments to his state an "occupation." Finally, Mexico's DTOs seek the insurgent goal of government nullification, to forge or maintain an area free of government control or to establish control that they can co-opt. According to JP 3-24, this also can extend to nullifying government control in areas across international borders to create safe havens for bases of operation. *La Familia*'s "shadow government" in Michoacán qualifies as such, as does *Los Zeta*'s exercise of control over territory in Guatemala.

By evaluating the characteristics of the three cases against the framework provided by JP 3.24, and by considering the Mexican DTOs use of subversion and violence as second generation criminal organizations, the Mexican Drug War can effectively be considered an insurgency. Coming to this strong conclusion, USNORTHCOM now has a strong foundation with which to begin planning counterinsurgency operations.

Recommendations

Perhaps the most realistic means of reducing the violence in Mexico is either by allowing one DTO to achieve total domination of the drug market and operate unencumbered by the government, or significantly reducing demand for drugs in the United States. Because the first option is not one that would ever be openly supported by the Mexican or U.S. governments, and the second option lies well outside the realm of duties for USNORTHCOM, an approach using the COIN operations dictated by JP 3.24 must be explored.

The Joint Doctrine proposes clear-hold-build operations in high profile areas seeing especially significant insurgent activity. The objectives of these operations are a secure physical/psychological environment, firm government control of the populace and area, and popular support. Once the high profile areas are under control, security and influence should spread to surrounding areas, ultimately allowing expansion to other areas. The five primary tasks during these operations are: provide continuous security for the local populace, eliminate insurgent presence, reinforce political primacy, enforce rule of law, and rebuild local host nation institutions. Ensuring the security of the local populace is stressed as the most important theme throughout all phases of COIN operations. The following recommendations lend to accomplishment of these tasks.

1. Identify Juarez, Nuevo Laredo, and Tijuana as the key areas in which to commence clear-hold-build operations. They are the epicenters of the Mexican Drug War due to the value given to them by the DTOs for their associated transportation infrastructures for smuggling drugs into the United States.

2. Ensure U.S. and Mexican COIN forces operate among the people in these areas. Much like U.S. forces operated in Iraq prior to the “surge”, Mexican forces currently operate from bases, focusing most of their attention on raids and interdiction, while largely overlooking non-DTO related crime. Consistent, visible, and trusted law enforcement and security forces may also affect corruption positively. It is likely that many of the police and other officials in the pocket of the DTOs are there more out of fear for their lives and families than for greed. Should they feel more secure, they may deny access or favors to the cartels without fear of reprisal. Additionally, a sense of security might encourage citizens to provide intelligence concerning cartel activities and identify cartel members and associates. This would be especially helpful as DTO members come from, and thus easily blend in with, the general population.

3. Limit population control measures to U.S. forces only or U.S. dominated joint forces, at least during the clear and hold phases. This will allow the populace to feel more secure. The DTOs are known to set up their own roadblocks and impose curfews while impersonating Mexican military or law enforcement officers, just as corrupt Mexican law enforcement officials take unsanctioned measures for profit or more devious and deadly reasons. U.S. led population control measures will also aid in interdicting drug shipments around the key areas.

4. U.S. Department of State adds the Mexican DTOs to the Designated Foreign Terror Organization List. Adding these organizations to the list would allow for more effective and intimidating means of combating them. These groups are currently only considered criminal. As such, arrest or detention of members and associates is only possible if they are caught during, or can be proven to have participated in, criminal activity. Membership alone does not necessarily provide grounds for arrest, prosecution or detention. Many of those arrested

are never processed and are released because they saturate the legal system, and because drug crimes are only prosecutable under Mexican federal law, not state or local. Should they be designated terrorists, they might be classified as unlawful combatants and held until conflict's end, as sanctioned by the U.S. Supreme Court's *Boumediene vs George Bush* decision. Additionally, designation as terror organizations would allow U.S. citizens and resident aliens to be prosecuted under U.S. Code 2339A, prohibiting U.S. persons from aiding or supporting terror organizations. This could affect the conflict two-fold. First, the U.S. BATF reports that many of the weapons used by the DTOs are smuggled into Mexico from the United States.³⁹ Prosecution under the terror code may be more effective and consist of harsher penalties than prosecution under current gun laws. Secondly, at least two Mexican cartels employ U.S. street or prison gangs to carry out killings and kidnappings. The Barrio Aztecas, based in El Paso, Texas and employed by the Juarez cartel, and the Logan Heights Gang of San Diego under the Tijuana cartel, perform contract killings and kidnappings on behalf of the cartels in Mexico.⁴⁰⁴¹ They then retreat back into the United States in order to avoid arrest and prosecution. Gang members who are illegal aliens, or U.S. citizens captured in Mexico by U.S. forces, may also be held as unlawful combatants.

5. USNORTHCOM, in concert with USSOUTHCOM, should advocate or initiate increased efforts to engage and aid Guatemala and other Central and South American states in combating Mexican DTO related activities throughout the region. Just as the Taliban operates in Afghanistan from across the border in Pakistan, it is clear that at least *Los Zetas* intend on, or are, operating from Guatemala. As stated before, Mexican and U.S. maritime and air interdiction efforts are becoming increasingly effective at stopping large shipments of drugs. As these sea and air-lanes become less amenable to trafficking, the land routes

between the Andes region and Mexico become ever more important. Increased interdiction and border security by Central American states could significantly hinder Mexican DTO operations by decreasing both the amount of drugs reaching Mexico, as well as tens of thousands of weapons left over from the El Salvadoran and Guatemalan civil wars of the 1980s.⁴²

The preceding recommendations are by no means a complete list of plausible options for conducting counterinsurgency operations against Mexican drug trafficking organizations, however they would undoubtedly have a positive impact on reducing the violence so prevalent in Mexico today. With increased security and decreased DTO freedom of action, civilian U.S. and Mexican government agencies would have an enhanced ability with which deeper underlying issues could be addressed. A whole of government approach in follow on stability operations will be required to bring about the political, judicial, and economic reforms that might ultimately end the Mexican Drug War and allay U.S. security concerns.

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